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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,864	02/16/2001	Gregory Bruening	020366-074900US	6331
22193 7590 10/17/2007 QWEST COMMUNICATIONS INTERNATIONAL INC LAW DEPT INTELLECTUAL PROPERTY GROUP 1801 CALIFORNIA STREET, SUITE 3800 DENVER, CO 80202			EXAMINER LE, KAREN L	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 10/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/785,864

Applicant(s)

BRUENING ET AL.

Examiner

Karen L. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 12-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The final rejection on 11/7/2006 is withdrawn. This is non-final rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et al (U.S. 5,923,744).

Regarding claims 12 and 27, Cheng teaches a method for routing calls comprising:

at a service switching point (fig. 3, SSP 210B) associated with a subscriber line having switched-based call forwarding to voicemail (col. 3, lines 28-30) associated therewith and having a specific digit string (fig. 4, item 420 and Col. 6, lines 46-48) associated therewith, detecting an Off-hook Delay trigger (Fig. 4, item 460).

Cheng does not teach wherein the Off-Hook Delay trigger includes a forward-to number, suspending call processing to the forward-to number, sending an infocollected message to a service control point associated with an Advanced Intelligent Network, wherein the infocollected message includes the specific digit string and the forward-to

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number; comparing the forward-to number to a voicemail number associated with the subscriber line; and based on the comparison determining whether to resume call processing to the forward-to number. However, Cheng teaches SSP determines whether the called party is associated with an IN service. Such a determination is made by performing a B-number analysis on the indicated called party subscriber directory number. The result B-number analysis is then associated with data indicating whether the called party has a trigger activated for an IN category. If the subscriber is not associated with any trigger, an incoming call connection is allowed to be terminated directly towards the called party. On the other hand, when the called party subscriber has an IN trigger activated, the serving SSP transmits a query signal towards an associated SCP. By transmitting the query signal utilizing the directory number associated with the subscriber as the destination address, the signal is properly routed to the associated SCP (cheng's query signal is considered including forward-to number). Although, Cheng is silent on suspending call forwarding to the forward-to number, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have that Cheng's SSP suspend the call forwarding and wait for SCP's instruction. This is old and well known in the intelligent network.

Cheng's SCP retrieves the relevant subscriber data, ascertains the appropriate subscriber service to be provided, and instructs the serving SSP to effectuate the desired call treatment. The feature that comparing the forward-to number to a voicemail and based on the comparison, determining whether to resume call forwarding to the forward-to number could be performed in this action of Cheng 's SCP. Although Cheng

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is silent about how SCP operates in this step, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Cheng's SCP do the comparison in order to give the instruction to SSP to reject the call or to forward the call to a forward-to number. Such instructions may, for example, instruct the serving SSP to reject the call, forward the call to a forward-to-number, connect the call to voicemail, etc. (Col. 7, lines 1-4 and Col. 3, lines 25-31),(col. 3, lines 10-31). These are simply old and well known functions of intelligent network elements (SCP, SSP) that cheng did not specifically disclose.

Regarding claim 13, Cheng further teaches comparing the forward-to number to a voicemail number associated with the subscriber line includes evaluating criteria to determine whether to forward the call to another number (Fig. 5, item 510).

Regarding claims 14 and 16, Cheng does not teach the criteria comprises a time of day and a day of week. The criteria based on many factors. It is obvious that time is set as the criteria. Time is set in many telecommunication features (e.g. do not disturb mode or privacy mode)

Regarding claims 15 and 17, Cheng further teaches comprising thereafter, forwarding the number to a business line associated with the subscriber line, a wireless line associated with the subscriber line, or a voicemail line associated with the subscriber line (col. 3, lines 29-31).

Regarding claims 18, 19 and 20, Cheng further teaches comparing the forward-to number to a voicemail number associated with the subscriber line includes determining whether to forward the call to multiple other numbers (Col. 3, lines 25-31).

Regarding claims 21-23, 25-26 and 29-31, Cheng further teaches the switched-based call forwarding to voicemail comprises: call-forward on busy; and call-forward on no answer, forward-to number comprises a telephone number for a different subscriber line, forward-to number comprises a telephone number for a voice mail box. It is inference to forward the call to another number when the destination is busy or no answer. This is old and well known in telecommunication system.

Regarding claims 24 and 28, Cheng further teaches the Off-hook Delay trigger is generated by calls from the subscriber line (col. 7, lines 1-4).

Response to Arguments

4. Applicant's arguments filed on November 9, 2006 have been fully considered but they are not persuasive.

As to Applicant's Remarks, Applicant mainly argues that Cheng does not teach wherein the Off-Hook Delay trigger includes a forward-to number, suspending call processing to the forward-to number, sending an infocollected message to a service control point associated with an Advanced Intelligent Network, wherein the infocollected

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message includes the specific digit string and the forward-to number; comparing the forward-to number to a voicemail number associated with the subscriber line; and based on the comparison determining whether to resume call processing to the forward-to number. However, Cheng teaches SSP determines whether the called party is associated with an IN service. Such a determination is made by performing a B-number analysis on the indicated called party subscriber directory number. The result B-number analysis is then associated with data indicating whether the called party has a trigger activated for an IN category. If the subscriber is not associated with any trigger, an incoming call connection is allowed to be terminated directly towards the called party. On the other hand, when the called party subscriber has an IN trigger activated, the serving SSP transmits a query signal towards an associated SCP. By transmitting the query signal utilizing the directory number associated with the subscriber as the destination address, the signal is properly routed to the associated SCP (cheng's query signal is considered including forward-to number). Although, Cheng is silent on suspending call forwarding to the forward-to number, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have that Cheng's SSP suspend the call forwarding and wait for SCP's instruction at this action. This is old and well known in the intelligent network.

Cheng's SCP retrieves the relevant subscriber data, ascertains the appropriate subscriber service to be provided, and instructs the serving SSP to effectuate the desired call treatment. The feature that comparing the forward-to number to a voicemail and based on the comparison, determining whether to resume call forwarding to the

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forward-to number could be performed in this action of Cheng's SCP. Although Cheng is silent about how SCP operates in this step, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Cheng's SCP do the comparison in order to give the instruction to SSP to reject the call or to forward the call to a forward-to number. Such instructions may, for example, instruct the serving SSP to reject the call, forward the call to a forward-to-number, connect the call to voicemail, etc. (Col. 7, lines 1-4 and Col. 3, lines 25-31),(col. 3, lines 10-31). These are simply old and well known functions of intelligent network elements (SCP, SSP) that cheng did not specifically disclose.

For the above reasons, Cheng is maintained for supporting the enclosed Examiner's final action.

Conclusion

5. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen L. Le whose telephone number is 571-272-7487. The examiner can normally be reached on Mon and Thurs: 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Karen Le
KLL

October 12, 2007

Harry S. Hong
HARRY S. HONG
PRIMARY EXAMINER